

## McKool Smith

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March 11, 2008

Honorable Morton Denlow  
United States District Court  
For the Northern District of Illinois  
Everett McKinley Dirksen  
United States Courthouse  
219 South Dearborn Street  
Chicago, IL 60604

RE: Candela Corporation v. Palomar Medical Technologies 1:08-cv-00949

Dear Judge Denlow:


For the motion hearing scheduled for tomorrow morning, I am writing to bring to the Court's attention three recent developments from other jurisdictions that relate to Plaintiffs motions to compel against Dr. Kovak and Dr. Van Dam. The attached exhibits are intended to support Plaintiff's Motion to Compel and are not intended as an amendment thereto.

First, on February 26, 2008, the Eastern District of Virginia issued an order attached hereto as Exhibit A.

Second, on February 27, 2008, the District of Massachusetts issued an order attached hereto as Exhibit B.

Third, on March 4, 2008, the Eastern District of Pennsylvania conducted a hearing during which the court, which had before it the various orders from the other courts, instructed the parties to file with the court a proposed order that used the Eastern District of Virginia order as a model. The proposed order jointly filed with the court is attached hereto as Exhibit C.

Sincerely,



Robert A. Cote

RAC:ltl

cc: Stephen D. Riden  
John Gutowski